

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ERIC DARBY, :
Petitioner, :
vs. : CIVIL ACTION 04-00705-BH-B
GWENDOLYN C. MOSLEY, :
Respondent. :
:
:

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge(Doc. 18)made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is ORDERED that petitioner's action be dismissed with prejudice as time-barred.

DONE this 5th day of March, 2007.

s/ W. B. Hand
SENIOR DISTRICT JUDGE